



United States Department of Justice

United States Attorney  
Northern District of New York

---

445 Broadway, Room 218  
James T. Foley U.S. Courthouse  
Albany, New York 12207-2924

Tel.: (518) 431-0247  
Fax: (518) 431-0249

November 19, 2015

Honorable Gary L. Sharpe  
Senior United States District Judge  
Northern District of New York  
James T. Foley U.S. Courthouse  
445 Broadway  
Albany, New York 12207

Re: *United States v. Scott Valente*  
15-CR-124 (GLS)

Dear Judge Sharpe:

The government requests that the previously suggested restitution language (*see* footnote #2 of Dkt. No. 21) be amended to read as follows:

1. The defendant, SCOTT VALENTE, shall pay restitution in the amount of \$8,200,579.69, which is due and enforceable by the U.S. Attorney's Office against any of his assets, including assets discovered during the investigation and those assets currently subject to a court order freezing The ELIV Group, LLC's assets (*SEC v. Valente, et al.*, 14 Civ. 3974 (S.D.N.Y.)), with any remaining restitution payable in monthly installments of \$25.00 or 10% of his gross monthly income while incarcerated, and upon his release in minimum monthly installments of 25% of his gross monthly income until restitution is fully paid;
2. Until restitution is fully paid, the defendant is restrained from transferring any asset with a value of \$2,500 or more, unless it is necessary to liquidate and apply the proceeds of such property to his restitution;
3. If at any time the defendant has the ability to make full or substantial payment toward restitution he shall do so immediately; and

Letter to Judge Sharpe  
*United States v. Valente*  
Case No.: 15-CR-124  
November 19, 2015  
Page 2

4. Restitution is to be made payable to the "U.S. District Court" and forwarded to: Clerk, U.S. District Court, P.O. Box 7367, 100 S. Clinton Street, Syracuse, NY 13261, for transfer to the victims.

Thank you.

Very truly yours,

RICHARD S. HARTUNIAN  
United States Attorney

By: /s/ Richard D. Belliss  
Richard D. Belliss  
Assistant U. S. Attorney  
Bar Roll Number: 515295  
United States Attorney's Office  
James T. Foley U.S. Courthouse  
445 Broadway  
Albany, N.Y. 12207  
Telephone: (518) 431-0247  
Fax: (518) 431-0249  
E-mail: richard.belliss@usdoj.gov

cc: Hon. Lawrence K. Baerman, Clerk  
U.S. District Court Clerk, Albany (Electronic filing)

Joel D. Schwartz, Esq.  
Shulman, Rogers, Gandal, Pordy, Ecker, P.A.  
12505 Park Potomac Avenue, 6<sup>th</sup> Floor  
Potomac, Maryland 20865 (Electronic service)

Angela Bennett Rodriguez  
U.S. Probation Office (Electronic service)